

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Receipt of the office action mailed June 7, 2006 is acknowledged. Claims 1-20 are pending in the application and have been rejected. New claim 21 is hereby added. In keeping with the foregoing amendments and the following arguments, reconsideration and allowance is respectfully requested.

Claim 1 has been amended to positively recite, in part, that the first and second substrates are formed of a paperboard material, that the second substrate has a conductive dot facing the conductive pattern and spaced away from the conductive pattern, and that the conductive dot and the conductive pattern are both formed of a conductive ink. Similarly, claim 12 has been amended to recite, in part, that the substrates are formed of a paperboard material, and the conductive patterns are formed of a conductive ink.

By comparison, on Billings the "touchpad" is formed of a "flexible membrane 204" having a plurality of conductors 401-406, a spacer 206, and a conductive sheet or ground plane 208. According to the reference, the "membrane 204 is suitably a polyester sheet with conductors formed of conductive mylar. Col. 4, line 68, to Col. 5, line 2. The "ground plane 208 is preferably comprised of metal foil . . . affixed to backboard 252" such as by gluing. Col. 5, lines 38-42. Consequently, it is readily apparent that neither the membrane 204 nor the ground plane 208 is formed of a paperboard material, and it is readily apparent that neither the conductors nor the ground plane is formed of conductive ink. Accordingly, Billings cannot anticipate claims 1 or 12, and claims 1 and 12 are therefore in allowable form.

The claims dependent upon claims 1 and 12 also are in allowable form.

Claim 20 recites, in part, an electrical circuit disposed beneath the receiving area and formed by a first substrate and a second substrate. The first substrate includes a plurality of conductive ink patterns, and the second substrate includes a plurality of conductive ink dots. Each dot cooperates with a corresponding one of the patterns to permit activation of the sound generator upon depressing one of the selected areas.

By comparison, as outlined above, the conductors on the mylar panel of Billings are not dots, and the metal foil layer affixed to the backboard cannot possibly be considered a "plurality of conductive ink dots." First, a single piece of foil cannot be a plurality of anything. Second, metal foil is not conductive ink. Accordingly, Billings cannot anticipate claim 20, and claim 20 is in allowable form.

Further, there can be no *prima facie* case of obviousness based on Billings. There is no suggestion to discard the single metal foil sheet of Billings and substitute dots, as such a substitution would destroy the express teachings of the reference and would change the principle of operation of the reference. Any motivation to make the needed substitution could be based only on impermissible hindsight. Accordingly, claims 1, 12 and 20 are in allowable form.

New claim 21 recites a base having a receiving area, a plurality of puzzle pieces, the puzzle pieces sized for placement on the receiving area and adapted to form an image having a plurality of selected areas, a sound generator mounted to the base and arranged for connection to a power source, an electrical circuit assembly disposed beneath the receiving area and formed by first and second substrates, the first and second substrates operatively coupled to one another and formed of the same paperboard material, the first substrate having a plurality of conductive ink patterns, the second substrate having a plurality of conductive ink dots, the patterns of the first substrate operatively coupled to the sound generator, each of the plurality of dots aligned with a corresponding one of the selected images and with a corresponding one of the patterns, each dot cooperating with a corresponding one of the plurality of patterns to permit activation of the sound generator upon depressing one of the selected areas, and a third substrate positioned to maintain the dots and the patterns in spaced relation until the selected area is depressed.

By comparison, the cited reference fails to disclose a plurality of conductive dots formed by conductive ink. Further, the metal foil on paper chipboard ground plane cannot possibly be formed of the same material as the mylar membrane. Consequently, claim 21 is in allowable form, as is new dependent claim 22.

In view of the foregoing, the above-identified application is in condition for allowance. In the event there is any remaining issue that the Examiner believes can be

Application No. 10/648,453
Amendment dated November 17, 2006
Reply to Office Action of June 7, 2006

Docket No.: 27087/39162

resolved by a telephone conference, the Examiner is respectfully invited to contact the undersigned attorney at (312) 474-6612.

Dated: November 17, 2006

Respectfully submitted,

By 

David C. Read

Registration No. 39,811

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant